

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-32817-2016

Date of decision : 13.01.2017

Harcharan Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioners.

Mr. Vikas Chopra, DAG, Haryana.

Mr.H.P.S.Bhinder, Advocate
for respondent no.2 & 3.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.469 dated 22.11.2012, registered against the petitioners at Police Station City Mandi Dabwali, District Sirsa, for the alleged commission of offences punishable under Sections 323, 325, 452, 506, 147, 149 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioners-accused and respondents no. 2 & 3, i.e. the complainant and injured.

Vide an order of this Court dated 19.09.2016, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 19.09.2016, the report of the learned Judicial Magistrate Ist Class, Dabwali, has been received stating therein that the statements of the petitioners and respondents no.2 & 3, i.e. Gamdoor Singh and Sukhpal Singh, have been recorded to the effect that

they have compromised the matter with the petitioners as per the compromise deed Annexure P2, dated 10.09.2016.

As per the assessment of the learned Judicial Magistrate, the compromise arrived at between the parties is of their own free will.

There is no other criminal case also stated to be pending against the petitioners.

In view of the above keeping in view the nature of the offences and the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No. 469 dated 22.11.2012, registered against the petitioners at Police Station City Mandi Dabwali, District Sirsa, for the alleged commission of offences punishable under Sections 323, 325, 452, 506, 147, 149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

January 13, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No